

TOWNSHIP OF WALL

ORDINANCE NO. 5-2022

**AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP
OF WALL TO AMEND THE ZONING MAP TO ZONE BLOCK 917 LOT 122
5104 WEST HURLEY POND ROAD - INTO THE CR-40 ZONE**

WHEREAS, the Township Committee on December 14, 2011, adopted the official Zoning Map of the Township as periodically amended; and

WHEREAS, that zoning map, last revised September 7, 2021 designates certain properties in the Public Open Space (POS) zone; and,

WHEREAS, the Township's Land Use Ordinance, at section 140-17, defines "Public Open Space" as an open space area conveyed or otherwise dedicated to the Township, a municipal agency, the Board of Education, an federal, state, or county agency, or other public body for recreational or conservational uses; and,

WHEREAS, the Township Committee has become aware of a privately owned recreational parcel of property known as Block 917 Lot 122 that is within the POS zone; and,

WHEREAS, the Township Planner has reviewed historical zoning maps, past zoning ordinances, Township Clerk's Office files, Township Tax Assessor files, Township Land Use files, Monmouth County Clerk's Office online property records, and the Wall Township Recreation and Open Space Inventory (ROSI); and,

WHEREAS, through review of these files, there was no evidence of any logical reason as to why this privately owned property would be designated in the POS zone; and,

WHEREAS, the 1999 Wall Township Master Plan seeks to provide sufficient space and appropriate locations of a variety of agricultural, residential, recreational, commercial and industrial uses and open space, both public and private, according to the respective environmental requirements in order to meet the needs of all citizens,

WHEREAS, the current zone designation of POS is not appropriate for the privately owned recreational use of the lot; and,

WHEREAS, the Township Committee desires to permit the property to continue to be developed for commercial recreation purposes, while maintaining the existing character of the area; and,

WHEREAS, the property is approximately 28.8 acres; and,

WHEREAS, the Township Committee finds that the CR-40 zone would be a more appropriate zoning designation as it would allow the property to continue to be maintained for commercial recreation; and,

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wall that the official Zoning Map of the Township be amended as follows:

Section 1. Zone Map. The Official Zoning Map the Township of Wall dated December 14, 2011 as amended, be and the same is hereby amended to change the zoning designation of the following areas as indicated below:

Block	Lot(s)	Address	New Zoning Designation
917	122	5104 West Hurley Pond Road	CR-40
*As illustrated on Exhibit A			

Section 3. All ordinances, or parts thereof, inconsistent with the provisions of this ordinance be and the same are hereby repealed to the extent of such inconsistency.


Section 4. Should any section, paragraph, clause of other portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgement shall not affect or impair the remainder of this Ordinance.

Section 5. This Ordinance shall effect upon its passage and publication according to law, and upon filing of a certified copy thereof with the Monmouth County Planning Board.

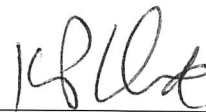
Introduced: January 26, 2022

Adopted: February 23, 2022

Attest:


Roberta Lang, RMC
Township Clerk

Approve:


Kevin P. Oreder
Mayor

SUMMARY AND NOTICE

TOWNSHIP OF WALL ORDINANCE NO. 5-2022

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL TO AMEND THE ZONING MAP TO ZONE BLOCK 917 LOT 122 INTO THE CR-40 ZONE

Adoption of this ordinance will amend the zoning map to zone the following properties into the CR-40 Zone:

Block	Lot(s)	Address	New Zoning Designation
917	122	5104 West Hurley Pond Road	CR-40
*As illustrated on Exhibit A			

Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading by the Township Committee of the Township of Wall on **January 26, 2022**, and will further be considered for final passage and adoption at the Wall Township Municipal Building, 2700 Allaire Road, Wall, New Jersey, on **February 23, 2022** at 7:00 p.m., or as soon thereafter as the matter can be reached on the agenda, at which time and place all persons interested therein shall be given an opportunity to be heard, and during the week prior to and up to and including the date of such meeting, copies of said Ordinance will be made available at the Clerk's Office in the Township of Wall, Town Hall, to the members of the general public who shall request the same or may be viewed on our website at www.wallnj.com.

Roberta M. Lang, R.M.C.
Municipal Clerk

EXHIBIT A

